

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RICHARD BAATZ, et. al.,)	Case No. 1:14-cv-505
)	
Plaintiffs,)	
)	MAGISTRATE JUDGE
v.)	THOMAS M. PARKER
)	
COLUMBIA GAS TRANSMISSION, LLC,)	
)	<u>ORDER ON LANDOWNERS'</u>
Defendant.)	<u>UNJUST ENRICHMENT CLAIM</u>
)	

Defendant Columbia Gas Transmission, LLC (“Columbia”) moved for summary judgment on plaintiffs’ (“Landowners”) remaining claims for trespass and unjust enrichment. ECF Doc. 89. The court previously granted Columbia’s motion for summary judgment on the Landowners’ trespass claim but deferred judgment on the Landowners’ unjust enrichment claim. ECF Doc. 118. The court ordered the parties to submit an agreed calculation of the amount of prejudgment interest that would be due on the just compensation amounts determined by the *Booth* Commission from May 5, 2008 through the date of the payment of the just compensation amounts. On February 26, 2018, the parties filed a joint response to the court’s order. ECF Doc. 120. The court now GRANTS Columbia’s motion for summary judgment on the Landowners’ remaining, Count Two unjust enrichment claim.

In their joint response to the court’s memorandum of opinion and order, the parties agreed to an interest calculation on each of the just compensation payments and further stipulated that the total of the just compensation amounts and prejudgment interest should be entered as a

final judgment in *Columbia Gas Transmission, LLC v. Booth, et al.*, Case No. 1:16-cv-1418. As explained in the court's memorandum of opinion and order, an award of just compensation and prejudgment interest in *Booth* necessarily means that there would be no further damages to be awarded on the Landowners' unjust enrichment claim in this action. ECF Doc. 118, Page ID# 3653. The payment of just compensation, including prejudgment interest from May 5, 2008, in *Booth* will fully compensate the Landowners for any unjust enrichment they may have conferred upon Columbia.

In accordance with the court's previous memorandum of opinion and order (ECF Doc. 118) and the parties' joint response thereto (ECF Doc. 120), the court GRANTS Columbia's motion for summary judgment on the Landowners' unjust enrichment claim (Count Two).

IT IS SO ORDERED.

Dated: February 26, 2018


Thomas M. Parker
United States Magistrate Judge